

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN R. WOOD, GINGER K. WOOD,
and GINGER K. WOOD as Next Friend
for ROBERT A. WOOD, JOSEPH K. WOOD,
and ELLEN H. WOOD, Minors,

Plaintiffs,

v.

Case No. 1:04-CV-346
Hon. Hugh W. Brenneman, Jr.

RYAN A. PALMER, CONNIE E. NIEHOFF,
RHONDA K. LAWSON, and
PROGRESSIVE SPECIALTY INSURANCE
COMPANY, an Ohio corporation,

Defendants.

ORDER

In accordance with the Opinion filed this date,

Defendants' motion for summary judgment with respect to plaintiff Robert Wood (docket no. 91) is **DENIED** as to Robert Wood's claim that he suffered a permanent serious disfigurement and **GRANTED** in all other respects.

Defendants' motion for summary judgment with respect to plaintiff Joseph Wood (docket no. 93) is **GRANTED**.

Defendants' motion for summary judgment with respect to plaintiff Ellen Wood (docket no. 95) is **GRANTED**.

Defendants' motion to dismiss certain damage claims related to "Baby April Lynn" (docket no. 97) is **DENIED** with respect to damage claims asserted by plaintiff Ginger Wood pursuant to MCL § 600.2922a and **GRANTED** in all other respects.

Plaintiffs' counter-motion for summary judgment (docket no. 117) is **GRANTED** with respect to plaintiff Robert Wood's claim that he has suffered a permanent serious disfigurement within the meaning of MCL § 500.3135(1) and (2)(a)(i), and **DENIED** in all other respects.

Dated: October 7, 2005

/s/ Hugh W. Brenneman, Jr.
Hugh W. Brenneman, Jr.
United States Magistrate Judge